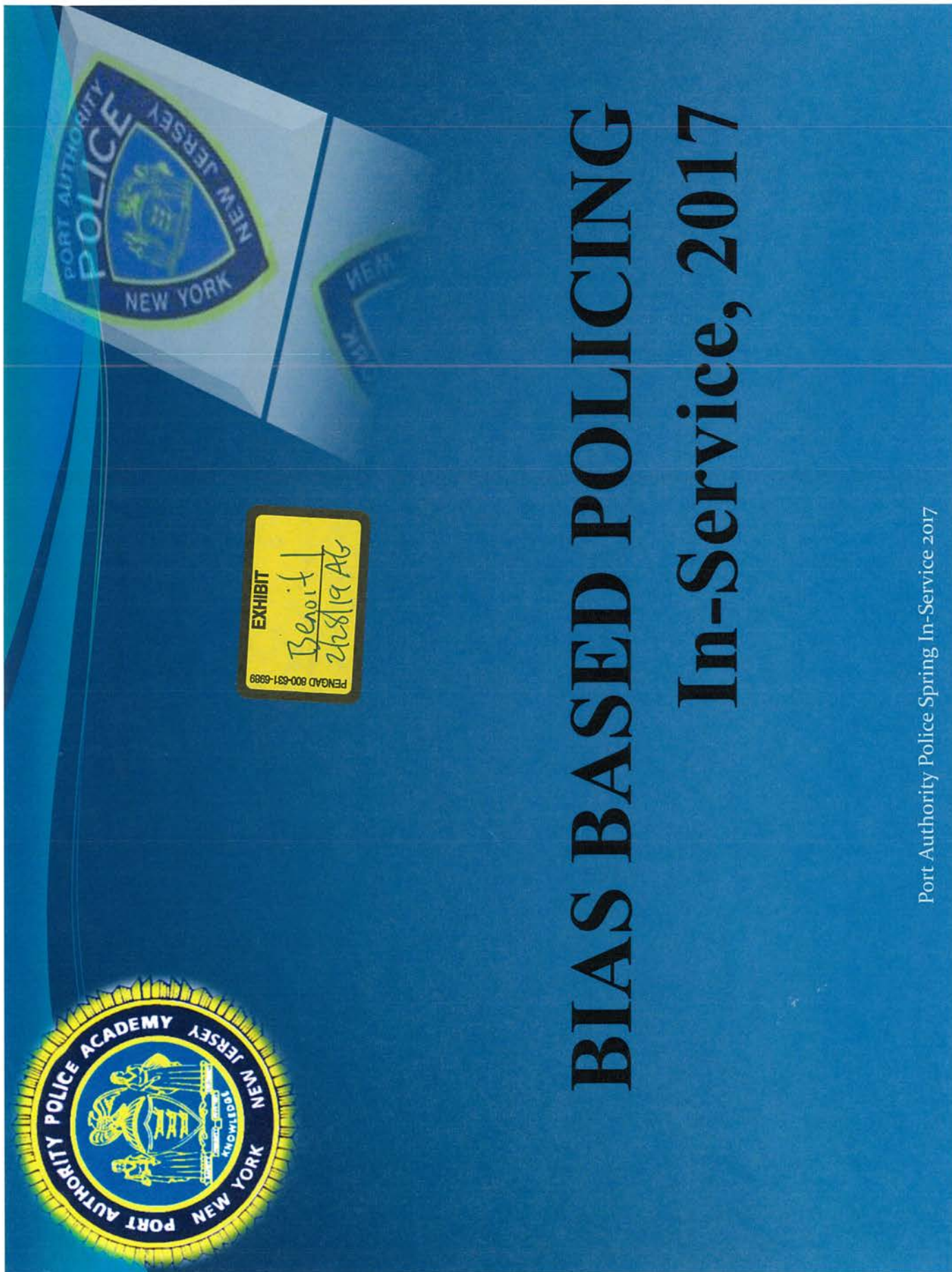


EXHIBIT 34



Port Authority Police Spring In-Service 2017



Objectives

- Define Bias Based Profiling and identify how it can be harmful to our occupation and industry.
- Define racism and how it relates to bias based profiling.
- Define sexism and how it relates to bias based profiling.



Objectives

- List the legal recognition and consequences for bias based profiling according to the New Jersey Attorney General and 2C.
- Define why profiling can happen and how it relates to bias based profiling.
- Analyze how Profiling Can Happen and how it applies to culture and certain perceived bias based incidents.

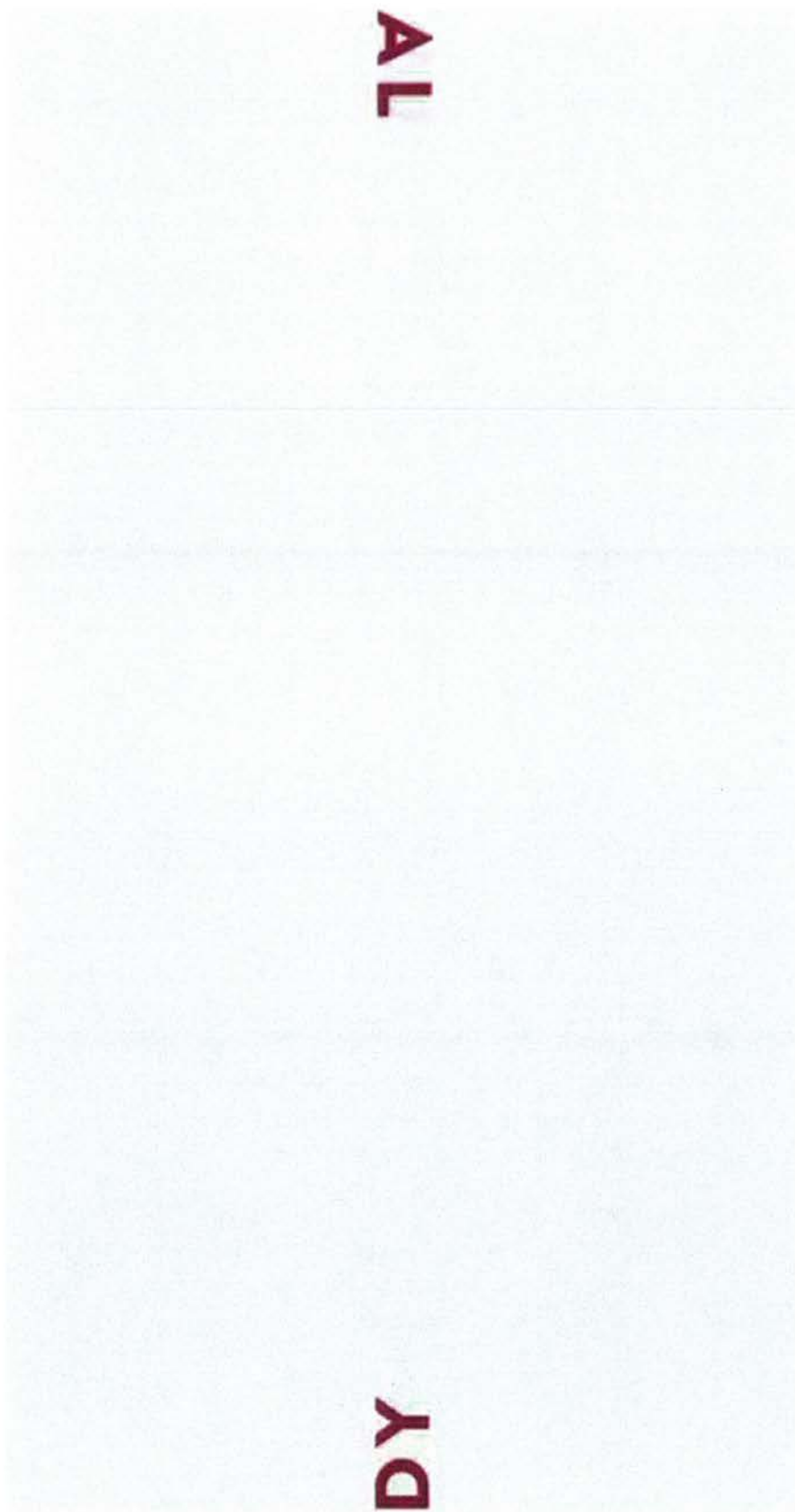


Objectives

- Define religion and how it relates to bias based profiling.
- Define sexual discrimination, ableism, and ageism, and how it relates to bias based profiling.
- Discuss what a federal consent decree is, and show what some of the ramifications are of being subjected to one.



Daily Media



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Bias Based Profiling Has Not



Changed

- The targeting or stopping of an individual based solely on a common trait of the person, including but not limited to, age, race, creed, color, national origin, gender, sexual predisposition, disability, and marital or economic status.



Neither Has Criminal Profiling

- An investigative method in which police officers identify suspicious people and develop legal grounds to stop them for questioning through observation of activities and surroundings.

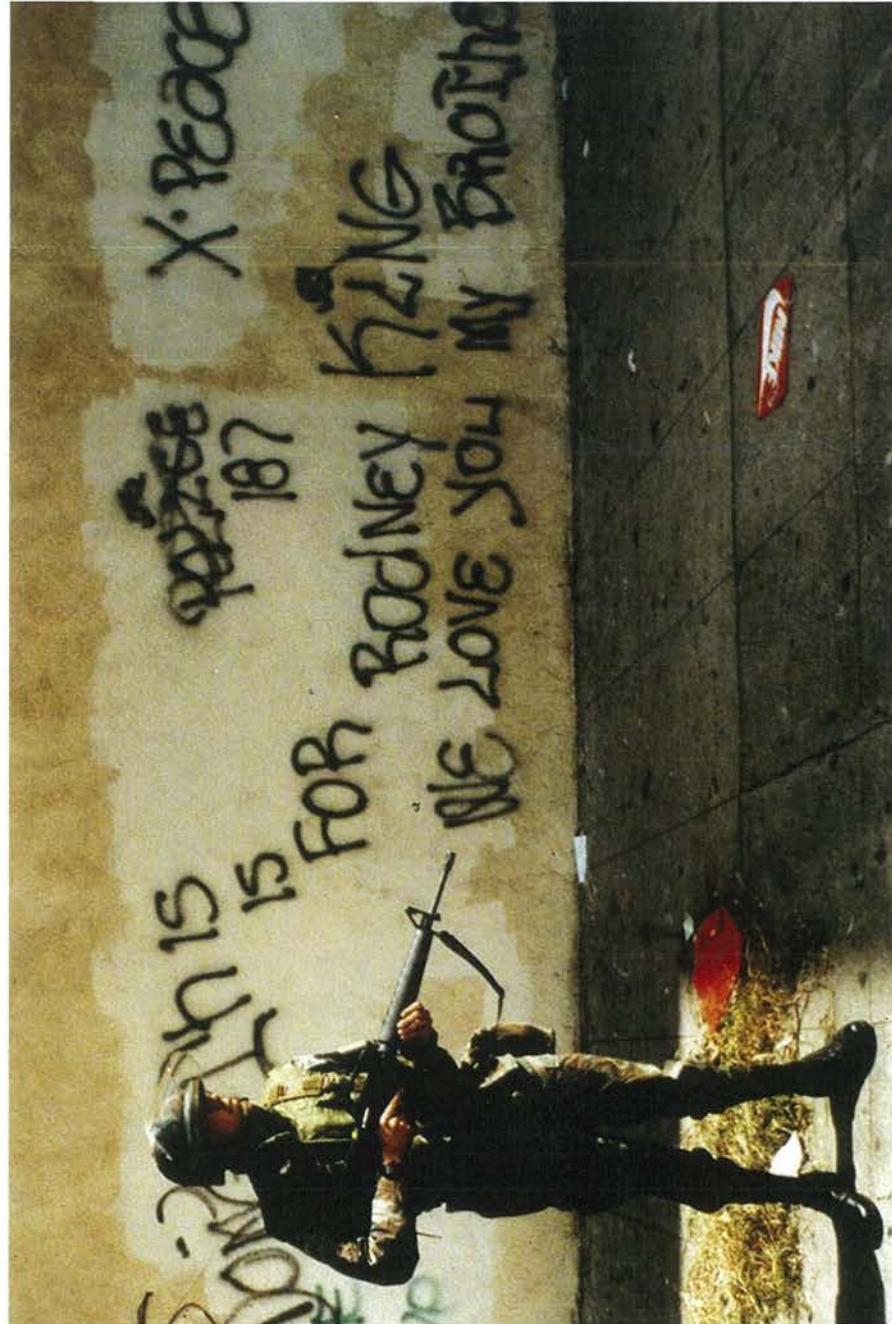


The High Cost of Bias Based Policing

- Causes distrust from the public
- Unnecessary media scrutiny
- Legal action against officer & department



Racism



Port Authority Police In-Service 2017



Racism

- This is the extreme prejudicial treatment of an individual based on his or race, and organizations who preach this are usually based around it
- Nothing subtle about the message being delivered, very blatant and vocal; plain racism as it is historically portrayed, maintains one race is better than another
- Think active, outspoken hatred organizations, and the people in them (KKK, Adolf Hitler, etc.), or policies like Jim Crow laws, etc.



Racism, Continued

- Cannot exist in Law Enforcement, every organization in America has policies for equal treatment.
- Increasingly rare in any organization at all, civilized society has a tendency to drive them out.
- Generally only going to be found in geographically and ideologically isolated areas, more prevalent in other parts of the world.



Less Obvious Racism

- Very hard to define, it does not maintain that one race is inherently better than another.
- Less Obvious Racism can often be seen in such traits as ignorance and resentment, particularly when dealing with cultures other than your own.
- “Racial tension” is seen as a form of Less Obvious Racism, feelings that cannot necessarily be put into words, often invoked when people speak of things like Affirmative Action.



Less Obvious Racism

- Racial tension can manifest itself as actions toward other people, if left to fester.
- Less Obvious Racism can be combated by education and communication; knowledge gleaned by talking with people from other cultures and learning about them lets us empathize.
- There is no changing racists; their speech is protected, but criminal actions are not.



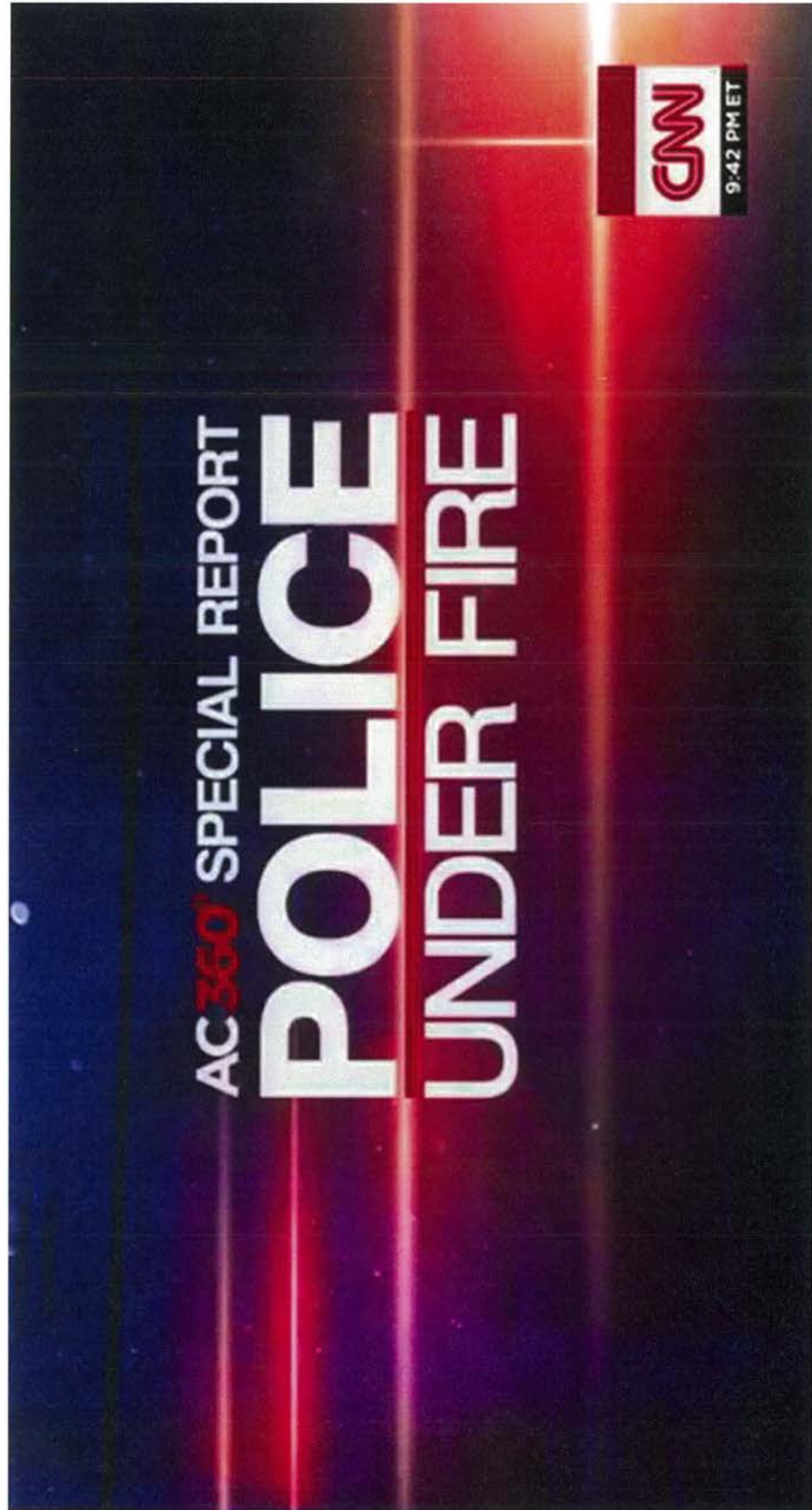
Mixed Racial Backgrounds

- Many people do not fit into one ethnic type, or do not consider themselves to be affiliated with their skin color or ethnic background.
- Many Americans (rightfully) believe they are Americans before any other background.
- When filling out forms at job, if on good terms with subject ask them what they consider themselves to be.



Morgan Freeman on Barack Obama

- First thing that always pops into my head regarding our president, is that all of the people who are setting up this [racial] barrier for him ... they just conveniently forget that Barack had a mama, and she was white — very white American, Kansas, middle of America. There was no argument about who he is or what he is. America's first black president hasn't arisen yet. He's not America's first black president, he's America's first mixed-race president."



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Attorney General Eric Holder's Official Statement:

We must be able to talk about race, rather than avoid it.

“Though this nation has proudly thought of itself as an ethnic melting pot in things racial, we have always been, and we, I believe, continue to be, in too many ways, essentially a nation of cowards.”

–U.S. Department of Justice website



A.G. Statement, continued

“Though race-related issues continue to occupy a significant portion of our political discussion, and though there remain many unresolved racial issues in this nation, we, average Americans, simply do not talk enough with each other about things racial.”

-- U.S. Department of Justice Website



Sexism



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Sexism

- A deep seated belief that one gender is inherently inferior to another.
- Like racism, does not have any place in civilized society and is regarded (at least on the surface) as not being present.
- Like racism, sexism was once institutionalized, but now obsolete (for the most part).



Sexism, continued

- A term coined in the mid-20th century, it is the belief or attitude that one sex is inherently superior to, more competent than, or more valuable than the other.
- Also referred to as gender discrimination
- Gender stereotypes are formed at an early age with men and women being identified with particular occupations.



Sexism, continued

- Critics often point to institutionalized differences such as pay gap, promotional opportunities, etc.
- Women often receive less than men for wages on the dollar, but less prison time for similar offenses compared to men, statistically.
- Point to consider: Are women treated equally in police departments? Are female offenders treated equally in the justice system?



Sexism

- Attitudes and actions which produce negative connotations or associations with a specific gender.
- Sexism is particularly present in gender stereotypes (Can you name some?).
- It is Far more pervasive than most people think, as we learn traditional gender roles at an early age.



Sexism, continued

- Slowly fading professionally as industries traditionally dominated by one gender are joined by the other.
- Even traditional domestic roles are changing, as families evolve to cope with economics and career transitions.
- Ever present hurdle: Men and women are fundamentally different biologically; there are differences between the legs and ears.



Sexism, continued

- Difficult balance – Must recognize differences between genders, yet treat them equally.
- For some, gender, like sexuality, plays a bigger role in defining them than others.



N.J. A.G. Racial Profiling

Crime

Port Authority Police In-Service 2017



N.J.A.G. Definition on Racial

Profiling

- The Non-Discrimination Rule: Except when an officer is trying to determine whether an individual matches the physical description in a B.O.L.O. (“Be On the Lookout”), or is pursuing specific leads in an ongoing criminal investigation, a police officer in N.J. may not consider a person’s race or ethnicity as a factor in deciding whether that person may be involved in criminal activity, or in deciding how to treat that person.



Attorney General Definition Cont.

- Unless an officer is responding to a suspect-specific or investigation-specific B.O.L.O. situation, a person's race or ethnicity may play no part in the exercise of police discretion.



Rule

- The general rule prohibiting any consideration of race or ethnicity applies to **all** police decisions, and not just the decision by a patrol officer to initiate a “stop.” The rule applies, for example, to earlier decisions such as....



Scope

- Whether to run the plates of a vehicle, or whether to approach a person as part of a consensual field inquiry.
- Also applies to all decisions made after a stop has begun such as whether to order the driver out, whether to pose probing questions, whether to ask for consent to search, etc.



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The Test for Determining

Compliance With the Non-

Discrimination Rule

- Would the officer have treated this individual or group of individuals differently if he/she/they had been of a different race or ethnicity?
- If the answer to this is yes, then unless the B.O.L.O. exception applies, the police conduct would constitute Racially-Influenced Policing in violation of Attorney General Guidelines.



Conduct, Rather Than on Race/Ethnicity

- Key to complying with the State's non-discrimination policy is that when an officer is trying to determine whether an individual may be engaged in criminal activity, you should not focus on personal characteristics that the person was born with and can't change, but rather should focus on the person's conduct.



Conduct?

- What the person is doing, or saying, or, in certain situations, expressive forms of conduct such as the person's manner of dress (*e.g.*, whether the person is "flying the colors" of a criminal street gang). Officers, in other words, should be looking out for suspicious *conduct*, not for suspicious *looking* persons.



Racism and policing

An officer need **not** be a racist to engage in Racially-Influenced Policing. Any officer can unwittingly or subconsciously fall prey to racial or ethnic stereotypes about who is more likely to be involved in criminal activity. One need not be prejudiced to unwittingly pre-judge a person based on a broad-brushed stereotype of what a typical criminal looks like.



- Officers are not prohibited from relying on a hunch.
- Officers should always be thinking about what they are doing, and why they are drawing inferences of suspicion about an individual.
- Ask yourself what it is about this particular person that has led you to suspect that this person may be up to no good.



Attorney General Advice

- Key to being reasonable is to be consciously aware of and able to articulate the reasons for making important decisions.
- You must make certain that a person's race or ethnicity plays no part in the exercise of police discretion, and you should be prepared to explain and document the legitimate, race-neutral reasons for their suspicions.



Why Profiling Can Happen

- This is essentially our ability to gauge what is really important from a very narrow period of experience.
- Basically, spontaneous decisions are as good as, or even better than carefully planned and considered ones.
- We are programmed to make snap decisions based upon very limited information; human nature and survival instinct dictate that we decide on a course of action quickly.



Why Profiling Can Happen, continued



- Dark side to profiling; we can be corrupted by our likes and dislikes, prejudices and stereotypes, especially unconscious ones.
- Police officers may rely on profiling to make quick decisions under pressure, with limited information for life and death decisions.
- Even subconsciously held preconceived notions can influence thin slicing, allowing things like racial overtones to play a part in decision making.



Why Profiling Can Happen, continued



- As cops we need it to make decisions, but as humans those decisions may be tainted by our personal experiences and projected feelings.
- Decisions can be made by observing the big picture without using a magnifying glass.
- Intuitive judgment is developed by experience, training, and knowledge.
- Rapid, intuitive judgment can have disastrous effects, and can be perceived as influenced by racist overtones.



Culture's Impact on Policing

- It's not enough to say "treat everyone equally."
- Where we come from defines us, and can often lead to conflict with cultures other than our own.
- When people cross borders, they don't leave their culture behind.
- Racism can possibly be ingrained into everyone, because just about everyone raised in a culture of some kind



Is Reverse Racism Accurate?

- Has been called positive discrimination, and a precursor to Affirmative Action.
- Frequently used in government institutions in relation to quotas.
- Originally used to create equal opportunity, fostered a lot of controversy
- No such thing as reverse racism, it's all just racism.



Bias Based Profiling of Religion





Bias Based Profiling of Religion

- Religion is more divisive than ever, as our culture and communication becomes increasingly global.
- Important to understand that religion is the least visible of differences; most people display no outward signs of their beliefs.
- Although we try to preserve people's dignity, our safety will always trump the public's mindset.



Religion: Radical vs. Moderate

- Most religions come in many versions; vary from radical to fundamentalist to moderate.
- Islam and Mormonism are two sets of beliefs where there are distinct differences between fundamentalism and moderation.
- Radical religion often masquerades as moderate, but as law enforcement, we cannot assume anything until someone takes action.



Religion in general

- Judeo-Christian is the large majority in America.
- Recent large influxes of Hindu, Islamic, and many other Asian and Middle Eastern Beliefs.
- Other large religious groups in America include Mormons, Buddhists, Pagans.
- People entitled to their own opinions, not their own facts surrounding your job or enforcement.
- For many, religion is their own reality, and will conflict with your view of the world and your job as a police officer.



Bias Based Profiling: Sexual Discrimination



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Bias Based Profiling: Sexual

Discrimination

- Homophobia is a range of negative attitudes and feelings towards lesbian, gay, bisexual, queer, and in some cases transgender and intersex people (LGBT).
- Coretta Scott King stated "Homophobia is like racism and anti-Semitism and other forms of bigotry in that it seeks to dehumanize a large group of people, to deny their humanity, their dignity and personhood."



Sexuality, continued...

- Homosexuality - Sexual predisposition, traditionally attraction to same sex. Terms like sexual preference or orientation not as accurate.
- Transvestites – Traditionally cross dressing.
- Transsexuals – Precise medical terminology, desire to live and be accepted as a member of opposite sex – American Psychiatric Association.
- Transgendered – Non identification with the gender that one was assigned at birth.

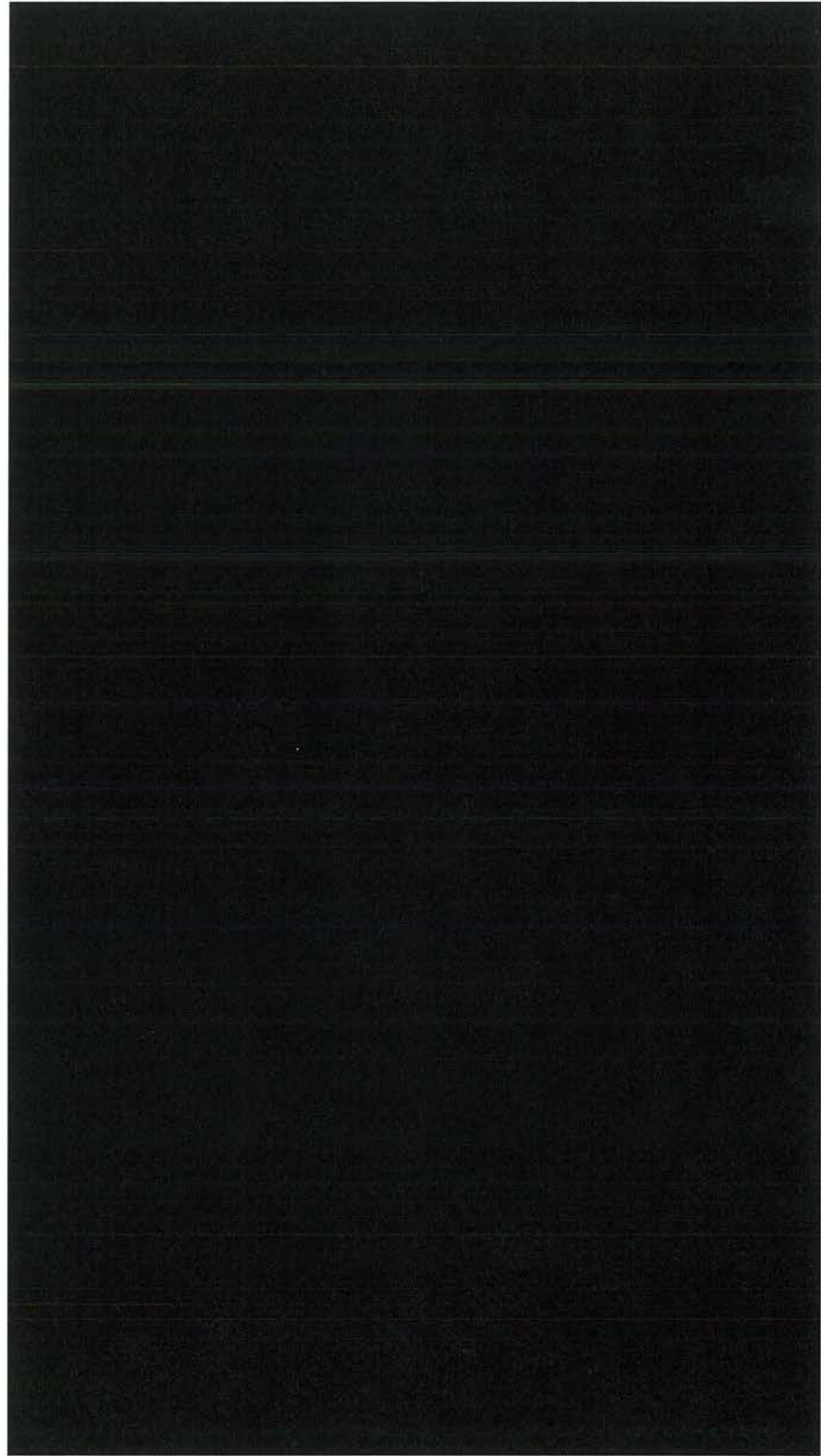


Lifestyles

- People can live in communities with those of a like mind, or in any community of their choosing.
- Our transportation facilities often are located within alternative lifestyle communities (e.g. Christopher Street, P.A.T.H.)
- Know the community your post is in, and be aware of differences.



Long Island



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Enforcement

- Same sex marriage legal in every state due to Supreme Court decision.
- There are still many issues with civil unions in New Jersey, and contentions with its equality to traditional marriage for those who have civil unions instead of marriage.
- Many in same sex relationships may refer to a spouse whether they are legally married or not because many people have been together before Supreme Court decision.



Ageism

- Stereotyping and discrimination against individuals or groups because of their age.
- Can be against old, young, or other wise, frequently associated with employment.
- Stereotypes are just as rampant amongst age groups as any ethnicity (e.g. – older people as wise and poor drivers; young people as dumb and reckless drivers).



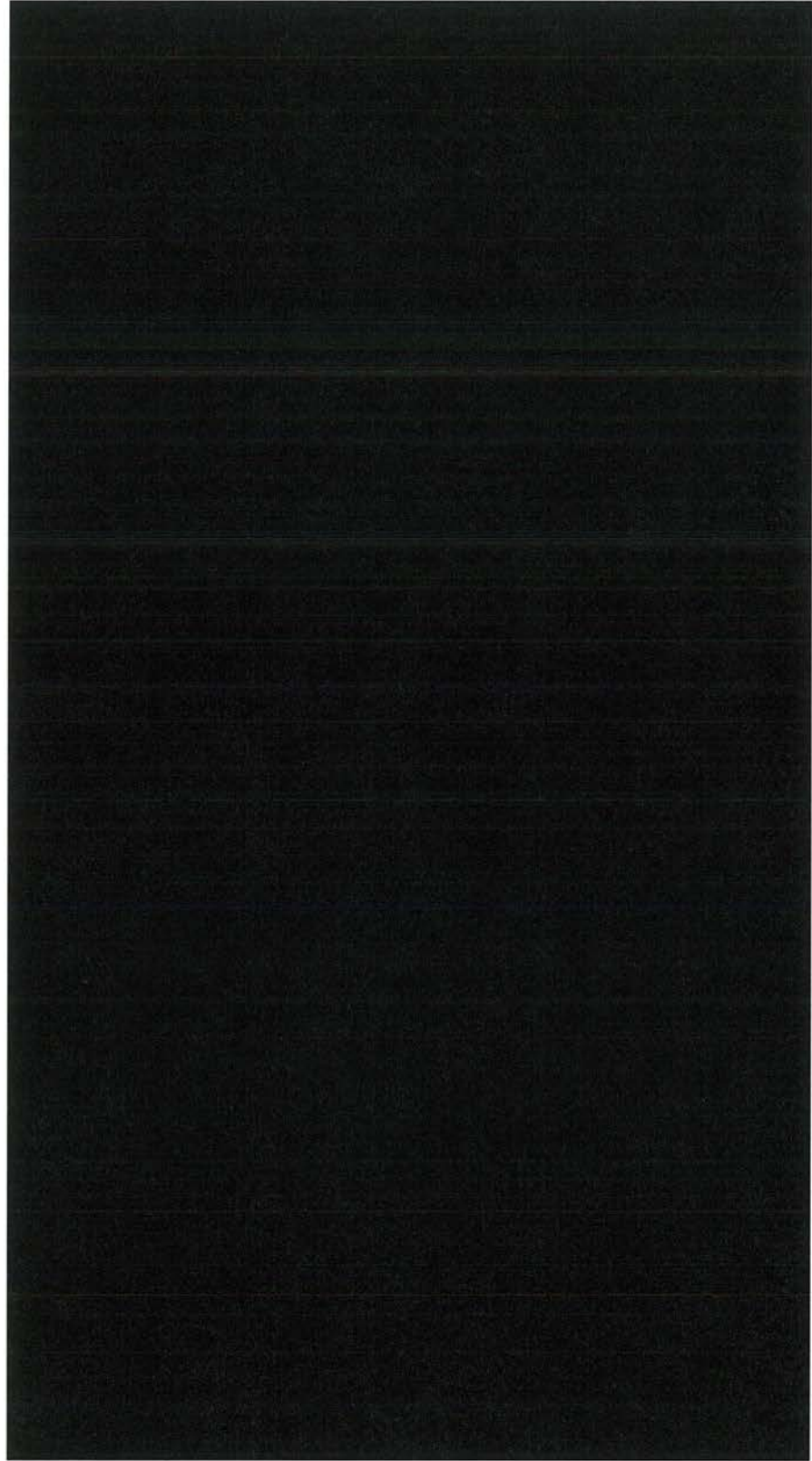
Ageism, continued

- Someone can be an idiot or be dangerous whether they are 8 or 80 years old.
- Although age can factor into physical limitations, never assume, always ask.
- Preserving someone's dignity is second only to preserving our safety.



Ableism

- Discrimination against people with disabilities, mental or physical.
- Based on assumption that non disabled human lifestyle is the only standard of living.
- Again, dignity preservation is secondary only to personal safety, e.g. people in wheelchairs still get handcuffed, just in front of their body.
- Helps to think of yourself as “temporarily abled.”



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Federal Consent Decree

- A type of settlement between two parties to resolve a dispute or difference.
- It is a tool the federal government uses to ensure that state, county and municipal governments adhere to federal law.
- In the case of police departments, it is commonly used in the wake of bias based incidents as observed by the Justice Department.



Federal Consent Decree

- Generally associated with unconstitutional uses of force combined with race or other issues dealing with differences.
- New Orleans, Los Angeles, Cleveland, and Newark have all been subject to consent decrees.
- All of these involved either use of force or bias based incidents and were widely publicized in the media.



Federal Consent Decree

- The primary lesson to be learned from this is to obey the rules so the federal government does not have to act as a watchdog for us.
- The consequences for consent decrees can range from federal monitoring of everyday practices to the way people are trained and hired.
- If we obey the rules that are in place now there is no need for outside monitoring. Doing the right thing means never having to worry about this.



Policing Pledge

Every citizen regardless of race, ethnicity gender, sexual orientation, religion, economic status, background, age, or culture deserves the highest level of service available and equal treatment under the law.



Being Offended is Subjective

- Some people will perceive your views as being offensive, even if all you are doing is expressing them (especially in uniform).
- Making your views public can often invite attack or put a target on you.
- We cannot tell people how they feel or define their relationships for them.



Differences

- We are not the same. We should be treated the same!
- We have biological, emotional, and cultural differences and to pretend that we do not is ridiculous.
- Being a police officer means having the conviction to do what's right, and the compassion to do it with empathy.

Any questions?



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